

**RULES
OF
TENNESSEE DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION**

**CHAPTER 0940-5-22
MINIMUM PROGRAM REQUIREMENTS FOR MENTAL RETARDATION
DIAGNOSIS AND EVALUATION FACILITIES**

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0940-5-22-.01 POLICIES AND PROCEDURES FOR DIAGNOSIS AND EVALUATION FACILITIES.

- (1) The governing body must ensure compliance with rule 0940-5-6-.02 Policies and Procedures for all Facilities.
- (2) An ongoing system must be provided for the collection and recording of accurate data about the clients being served.
- (3) A procedure must be provided for allowing the client, the client's parents, or legal guardian a method of challenging any information entered into the client's record. The procedure must also allow for the subsequent removal of successfully challenged information.

Authority: T.C.A. § 33-2-504. *Administrative History:* Original rule filed May 26, 1988; effective July 11, 1988.

0940-5-22-.02 CLIENT ASSESSMENT REQUIREMENTS FOR DIAGNOSIS AND EVALUATION FACILITIES.

- (1) Assessments must be completed by using empirically reliable and valid instruments of diagnosis and evaluation.
- (2) Diagnosis and evaluation services must be capable of assessment in the following areas:
 - (a) Intellectual development;
 - (b) Sensorimotor development;
 - (c) Affective development;
 - (d) Social development;
 - (e) Communicative development; and
 - (f) Physical development.
- (3) Assessment of physical development must be completed by the following:
 - (a) Physical examination;

- (b) Medication history;
- (c) Visual screening;
- (d) Audiological screening;
- (e) Nutritional screening; and
- (f) If determined necessary, a genetic evaluation.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-5-22-.03 ASSESSMENT TEAM REQUIREMENTS FOR DIAGNOSIS AND EVALUATION FACILITIES

- (1) The facility must ensure that an assessment team is identified and provided for each client. The team must minimally include:
 - (a) A designated individual who is responsible for each assessment;
 - (b) The active participation of each staff member or consultant who is responsible for the completion of assessment; and
 - (c) The client, the client's parent or legal guardian, or a client advocate.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-5-22-.04 CLIENT ASSESSMENT RECORD REQUIREMENTS FOR DIAGNOSIS AND EVALUATION FACILITIES.

- (1) The facility must ensure that an individual record of the assessments is maintained for each client which includes the following:
 - (a) The reports of completed evaluations including the names and disciplinary status of the evaluating team members;
 - (b) The initial recommendations of the assessment team including the services needed for the client without consideration of the actual availability of such services;
 - (c) The availability of needed services and recommended service providers; and
 - (d) The documentation of efforts made in exploring resources for meeting the needs of the client identified by the team's recommendations.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-5-22-.05 PERSONNEL REQUIREMENTS FOR DIAGNOSIS AND EVALUATION FACILITIES.

- (1) Professional staff must be provided who are capable of performing assessments and who are duly licensed, eligible for licensure, or duly certified to practice their profession in the State of Tennessee. The duties assigned in the performance of diagnosis and evaluation services must be commensurate with the level of competence, training and experience of the staff so assigned.
- (2) Each employee must be provided with an initial orientation upon employment and with an annual inservice training activity which must be commensurate with the assigned duties of each employee.

- (3) Employees with seriously infectious diseases must not be permitted contact with clients.
- (4) Each employee must have a tuberculosis test or screening at the time of employment and thereafter as required by the current guidelines of the Tennessee Department of Health and Environment.
- (5) The facility must be sufficiently staffed to the extent that the facility is not dependent upon volunteers or clients in the delivery of services.
- (6) The facility must be sufficiently staffed to the extent that assistance is available from another staff member in the event of an emergency.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.